

28g



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,316	11/03/2001	Junhyeok Heo	SUNGWOO-2	3287
28581	7590	10/18/2005		
DUANE MORRIS LLP PO BOX 5203 PRINCETON, NJ 08543-5203			EXAMINER REID, CHERYL M	
			ART UNIT	PAPER NUMBER
			2142	
DATE MAILED: 10/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/008,316

Applicant(s)

HEO, JUNHYEOK

Examiner

Cheryl M. Reid

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-14, 16 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-14, 16 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

☒ a) ☒ All b) ☐ Some \* c) ☐ None of:

- ☒ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 3-14, 16, and 20 have been examined.

#### ***Specification***

2. The abstract of the disclosure is objected to because the abstract is too long. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. Correction is required. See MPEP § 608.01(b).

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4,6-9,12, 14, 16, 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, Applicant did not clearly define "key frame data," or "reference frame data." Applicant also failed to clarify the meaning of " memorizing to encode key frame data," and " the step of storing the coded data to the transmission buffer are performed in repeat." Proper correction is required. Applicant is reminded that no new matter is allowed.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa et al (US 6658153) in view of Son et al (US 2002/0026645).

5. In regards to claim 3, Nakagawa teaches of : a step of transmitting the A/V data of one channel or multi channel to the coder/transmission buffer; a step of coding and storing the A/V data transmitted to the coder and the transmission buffer (fig 1, col 3, lines 20-30). Nakagawa doesn't explicitly teach of a step of transmitting the coded storing data to each of the users connected to the network through the grouped user transmission controller. In an analogous art, Son teaches on this aspect (fig 1, paragraph [0023], paragraph [0009]). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art (i.e. relates to the facilitating of the transmission of video data). One of ordinary skill in the arts at the time of invention would have been motivated for the reasons discussed by Son (paragraph [0008]).

6. In regards to claim 4, Nakagawa teaches of the step of coding and storing the A/V data and the step of storing the coded data to the transmission buffer are performed in repeat (col 3, lines 30-35), wherein Examiner is interpreting " performed in repeat," as performing coding and storing separately because this interpretation gives the broadest reasonable interpretation.

Art Unit: 2142

7. In regards to claim 5, Nakawaga teaches of the step of coding the A/V data encodes new data after checking the transmission buffer to avoid unnecessary encoding for the data (col 3, lines 34-40).

8. Claims 6-12, 14, 16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa in view of Son as applied to claim 4 above, and further in view of Jones et al (US 6552749).

9. In regards to claim 6-12, and 14, 16, 20 neither Nakagawa nor Son explicitly teach of the limitations. In an analogous art, Jones teaches of a step of deciding whether it is necessary to have the key frame data or no..... a step of checking whether `s` numbers of the reference frame data are encoded continuously after encoding the reference frame data; and a step of memorizing to generate the key frame data in the case that the `s` numbers of the reference frame data are continuously encoded..... deciding whether it is necessary to encode new data or not comprises: a step of deciding whether it is necessary to encode the key frame data or not; and a step of deciding whether the last generated frame data is transmitted or not. (col 5, lines 25-40); step of reporting the beginning of usage... (col 6, lines 15-35). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art (i.e. relates to facilitating the communication of video data). Refer to claim 3 for motivation.

Art Unit: 2142

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa in view of Son as applied to claim 4 above, and further in view of Jones and further in view of Lee (US 5574720).

11. In regards to claim 13, Jones teaches of deciding whether at least one of the last generated "n" frame data is transmitted (col 5, lines 25-40) but does not explicitly teach of deciding the network states. In an analogous art, Lee teaches on this aspect (col 8, lines 15-20). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art (i.e. relates to facilitating the communication of video data). Refer to claim 3 for motivation.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2142

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmr

  
BEATRIZ PRIETO  
PRIMARY EXAMINER